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FROM Paul A. Ragusa  
DATE November 1, 2004  
PAGES 10 (including cover)

VOICE NO. 212-408-2588  
FAX NO. 212-259-2588  
RETURN TO Evelyn Medero

TO Doretha Marcelli  
Barker Brettell

FAX NO. 703-308-7333  
VOICE NO. 703-305-4762

**MESSAGE**

Dear Ms. Marcelli-

As you requested, enclosed please find a copy of the Amendment filed September 27, 2002, along with a copy of the returned postcard.

Thank you.

**NY02:503062.1 Notice of Confidentiality**

*The information contained in and transmitted with this facsimile is: 1. Subject to the Attorney-client Privilege; 2. Attorney Work Product; or 3. Confidential. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Baker Botts L.L.P. by telephone at 212.408-2500 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail or, if authorization is granted by the sender, destroyed.*

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CRITICAL DEADLINE, SEND BY

33718-156  
BAKER BOTTS LLP  
2002 OCT 28 AM 11:58

TO


In Re: Scullion et al. 09/700,512  
(Applicant) (Serial No.)  
In Re: Amendment Sept. 27, 2002 A33718 PCT USA  
(Title of Paper) (Date) (File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

Transmittal form; Fee transmittal (in duplicate);

## Box NON FEE AMENDMENT



### TIME RESPONSE

CERTIFICATE OF MAILING FOR AMENDMENT/REQUEST  
FOR EXTENSION OF TIME APPENDED TO THE END OF  
DOCUMENT FILED, EXECUTED BY ATTORNEY WITH  
STATED FIRST CLASS MAILING DATE OF 9/27/02  
SUCH BEING PRIOR TO THE EXPIRATION OF THE  
ALLOWED PERIOD

                      
INITIALS

**BAKER BOTTS LLP****FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 0**Complete if Known**

Application Number	09/700,512
Filing Date	November 13, 2000
First Named Inventor	Scullion et al.
Examiner Name	Sherrer
Group Art Unit	1761
Attorney Docket No.	A33718 PCT USA

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**  
 Deposit Account Name **Baker Botts LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:  
☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
740	370	Utility filing fee	
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	

**SUBTOTAL (1) (\$)** 0**2. EXTRA CLAIM FEES**

Total Claims  - 20 \*\* =  x  =   
 Independent Claims  - 3 \*\* =  x  =   
 Multiple Dependent  =

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) (\$)** 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,620	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)** 0**SUBMITTED BY**Name (Print/Type) **Paul A. Ragusa**Registration No. **36,857**  
(Attorney/Agent)**Complete (if applicable)**Telephone **(212) 408-2588**Signature Date **September 27, 2002**


**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

In Re:	Scullion et al.		09/700,512
	(Applicant)		(Serial No.)
In Re:	Amendment	Sept. 27, 2002	A33718 PCT USA
	(Title of Paper)	(Date)	(File No.)

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Transmittal form; Fee transmittal (in duplicate);

**Box NON FEE AMENDMENT**

**BAKER BOTTS LLP**Please type a plus sign (+) inside this box → **TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

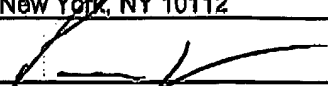
Application Number	09/700,512
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Examiner Name	Sherrer
Attorney Docket Number	A33718 PCT USA

Total Number of Pages in This Submission

**ENCLOSURES** (check all that apply)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks <input type="checkbox"/>  |  |  |

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	BakerBotts LLP 30 Rockefeller Plaza New York, NY 10112
Signature	 Att Name: Paul A. Ragusa PTO Reg: 38,857
Date	September 27, 2002

**CERTIFICATE OF MAILING**I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: September 27, 2002

Typed or printed name	Paul A. Ragusa
Signature	
Date	September 27, 2002

**BAKER BOTTS** LLP

Attorney Docket Number: A33718 PCT USA

Title:

A BEVERAGE

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